

BellSouth Long Distance, Inc.

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November 28, 2005

WC Docket No. 05-196
Compliance Letter

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

Re: BellSouth Long Distance, Inc. Compliance Letter,
IP-Enabled Services, WC Docket No. 04-36; 05-196

Dear Ms. Dortch:

In accordance with the requirement set forth in the Commission's June 3, 2005, order establishing enhanced 911 requirements for IP-enabled service providers (FCC 05-116)¹ and the Commission's Public Notice released November 7, 2005 (DA 05-2945), BellSouth Long Distance, Inc. ("BSLD"), hereby files this Compliance Letter detailing its compliance with the Commission's E911 requirements.

BellSouth supports the Commission's efforts to promote the safety and welfare of all Americans by ensuring continued access to E911 services. Accordingly, BSLD is pleased to describe the procedures by which it plans to comply with the Commission's new requirements.

As of the date of this letter, BSLD does not offer a retail Voice-Over-Internet-Protocol ("VOIP") service subject to the Commission's VOIP E911 Order. Nonetheless, because BSLD intends to deploy a residential VOIP service imminently, we are filing this letter to describe the manner in which this service will comply with the requirements of the VOIP E911 Order. As explained in detail below, while BSLD is continuing to work to implement its E911 solution, the company will not provide a retail VOIP service to any subscriber unless and until that subscriber's initial Registered Location is E911 serviceable.

¹ IP-Enabled Services and 911 Requirements for IP-Enabled Service Providers, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, 10273, ¶ 50 (2005) (VoIP E911 Order); 47 C.F.R. §9.5(f).

Initial Subscriber Registration and Information

As noted above, BSLD does not currently provide a VOIP service to any retail subscribers. Accordingly, no action was necessary on the company's part to satisfy the obligations in the VOIP E911 Order pertaining to existing subscribers, and there are no "existing subscribers" to whom BSLD will be providing service without complying with the Commission's rules.

Once BSLD's residential VOIP service (called "BellSouth® Digital Phone Service") is offered for sale, the sole method by which a customer will be able to subscribe to this service will be through BSLD's web site. The general information and registration process on that site are designed, *inter alia*, to ensure that potential subscribers are fully informed of the E911 limitations inherent in VOIP, including the fact that the service is only available in specific geographic areas where BSLD's service is E911 compatible. Additionally, at this time BSLD is not engaging in any mass-market advertising of this service and so will not be marketing the service in areas that are not E911 serviceable.

As a final and critical safeguard, BSLD's web site registration process will reject any potential subscriber that tries to purchase the product using a Registered Location that is not E911 serviceable. The BSLD website requires the customer to enter the initial Registered Location at which the service will be used. If the address provided is not E911 serviceable, the customer will not be able to complete the order. BSLD will not accept orders from any persons who provide Registered Locations in areas where E911 service is not available to customers of BellSouth Digital Phone Service. If the address is not within a supported E911 area, an automated process will prohibit the customer from completing her request for service. BSLD will thus provide its BellSouth Digital Phone Service in compliance with the E911 rules for 100% of its subscribers.

In another part of the BellSouth Digital Phone Service ordering process, once a customer provides an E911 compatible address, the customer is required to review the terms and conditions for the service, and, by clicking on a "check box", must accept these terms and conditions to continue the service order process. These terms and conditions contain detailed information about how E911 works in conjunction with BellSouth Digital Phone Service. For example, the customer is advised that the E911 service capabilities associated with BellSouth Digital Phone Service are different from the E911 service capabilities associated with traditional phone service, that for the BellSouth Digital Phone Service E911 service capability to operate properly, the customer must register the address at which she will be using the Service and that she must update that address whenever she changes her service location. In addition, the customer is advised that BellSouth Digital Phone Service is only available in areas where E911 service capabilities are available to BellSouth Digital Phone Service customers. She is also specifically informed that if she attempts to move her Registered Location to a new address and that new service address is not E911 compatible, her service will be suspended until she registers an E911 compatible address. The customer is further advised that E911 service capabilities will be unavailable in instances where she loses electric power or her broadband connection. Lastly, the customer is informed that delays

in updating E911 data bases may occur when she changes her registered location and that E911 service capabilities will not be available at such new location until the data bases are updated.

Before the order is completed, the customer is provided for a second time with the same E911 information as outlined above, but in this instance, the information is provided on a stand-alone basis. The customer must review and acknowledge her understanding and acceptance of this information in order by clicking on a second "check box" to complete the service order. If the customer does not accept the terms and conditions and acknowledge the stand-alone E911 information, she cannot complete the order. If the customer accepts both, the Company or its underlying vendor will maintain an electronic record of each acceptance.

Once the customer has successfully subscribed to the BellSouth Digital Phone Service, the customer will be supplied with and must use an Analog Terminal Adaptor ("ATA") to access the service. BSLD complies with the labeling requirements in §9.5 (e) of the Commission's rules by placing a sticker on all ATAs sent to BellSouth Digital Phone Service subscribers. That sticker states:

Access to E911 service may not be available in certain circumstances or certain locations when using this device. If you move the location of your service, you must provide us your new address in order to access E911 service. Please visit www.bellsouth.com/digitalphoneservice/e911 or call 1 (866) 315-7887 for more information.

Additionally, BSLD includes additional stickers for the subscriber to apply to telephones that will be used to access the service. These stickers contain the same verbiage as above, i.e.:

Access to E911 service from this phone may not be available in certain circumstances or from certain locations. If you move the location of your service, you must provide us your new address in order to access E911 service. Please visit www.bellsouth.com/digitalphoneservice/e911 or call 1(866) 315 7887 for more information.

Subscribers may receive additional stickers upon request.

Provision of E911 Service

Because BSLD does not currently offer a retail VOIP service, the Company is not currently transmitting VOIP E911 calls to "the appropriate PSAP, designated statewide default answering service, or local emergency authority utilizing the Selective Router..." As emphasized above, however, upon deployment of its BellSouth Digital Phone service,

BSLD, via its underlying carrier, will fully comply with this requirement in all areas where it allows new subscribers.

BSLD also will use its underlying carrier to transmit, via the wireline E911 network, the 911 caller's ANI and Registered Location to all answering points that are capable of receiving and processing this information. Because BSLD will suspend service to all subscribers who attempt to register a new service location in any non-supported E911 area, BellSouth Digital Phone Service will transmit ANI and Registered Location of all subscribers to answering points that can receive and process this information.

Despite its best efforts, BSLD and other providers will likely continue to have areas within the country where full 911 compliance is not available for some period of time.

Updating Subscriber's Registered Location

As described above, customers are informed in the Terms and Conditions, in the stand-alone E911 information and via the ATA and telephone stickers that if they attempt to move their service to a new physical location, they must register that new location with BSLD. In the event an established subscriber wishes to utilize his BSLD service from a location different from his initially established location, BSLD will provide subscribers the ability to update their Registered Location, twenty four hours a day, seven days a week, via online update or by calling a BSLD representative. With either process, should the subscriber provide a new address that is not within a supported E911 area, the Company will suspend the subscriber's service until such time that the customer has registered his return to a supported E911 area. In this way, BSLD will provide E911 service in compliance with the rules for all of its nomadic customers.

BSLD continues to review other alternatives for nomadic subscribers, such as the planned solutions offered by AT&T Corp., MCI, Inc., and Verizon Communications. BSLD has asked its underlying carrier to review these other alternatives as well.

Should the Commission have any questions regarding BSLD's compliance with its 911 requirements, I can be reached at the telephone number shown above.

Sincerely,

Handwritten signature of Harris R. Anthony in cursive script, followed by the text "/by GTR".

Harris R. Anthony

cc: Kathy Berhot, Deputy Chief, Spectrum Enforcement Division
Janice Myles, Competition Policy Division, Wireline Competition Bureau
Best Copy and Printing, Inc.